

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICIA M. MULROY,

Plaintiff,

Case No. 16-cv-10474

v.

UNITED STATES DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

COMMISSIONER OF SOCIAL
SECURITY,

UNITED STATES MAGISTRATE JUDGE
DAVID R. GRAND

Defendant.

ORDER: (I) ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION [12];
(II) DENYING DEFENDANT’S MOTION FOR SUMMARY JUDGMENT [11]; AND
(III) GRANTING IN PART AND DENYING IN PART PLAINTIFF’S MOTION FOR
SUMMARY JUDGMENT [10]

Patricia Mulroy (Plaintiff) filed this action on February 9, 2016. Dkt. No. 1. Plaintiff sought judicial review of the Commissioner of Social Security’s (Defendant) denial of Child Disability Benefits and Supplemental Security Income. *Id.* Each party filed a Motion for Summary Judgment. Dkt. Nos. 10, 11. The matter was referred to Magistrate Judge David R. Grand.

On December 8, 2016, Magistrate Judge Grand issued a Report and Recommendation which recommends that the Defendant’s Motion for Summary Judgment be denied. Dkt. No. 12. Additionally, Magistrate Judge Grand recommends that the Court grant Plaintiff’s Motion for Summary Judgment to the

extent it seeks remand and deny Plaintiff's motion to the extent it seeks an award of benefits. Neither party filed an objection to Magistrate Judge Grand's Report and Recommendation. The time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C). Upon review of the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion.

Therefore, the Court hereby **ACCEPTS** and **ADOPTS** Magistrate Judge Grand's December 8, 2016 Report and Recommendation [12] as this Court's findings of fact and conclusions of law. Defendant's Motion for Summary Judgment [11] is **HEREBY DENIED**. Plaintiff's Motion for Summary Judgment [10] is **GRANTED IN PART** to the extent it seeks remand and **DENIED IN PART** to the extent it seeks an award of benefits.

This case is **HEREBY REMANDED** to the ALJ for further proceedings consistent with Magistrate Judge Grand's Report and Recommendation.

SO ORDERED.

Dated: January 9, 2017
Detroit, MI

/s/Gershwin A Drain
HON. GERSHWIN A. DRAIN
United States District Court Judge

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, January 9, 2017, by electronic and/or ordinary mail.

/s/Tanya Bankston
Case Manager, (313) 234-5213